

CHAPTER 9
COMPLAINT AGAINST AN EMPLOYEE

[Ch 9 as appeared prior to 6/27/79 is published as follows: Rule 9.1 rescinded and 9.100 to 9.105 renumbered as 15.1 to 15.6]
[Prior to 4/20/88, see Public Safety Department[680] Ch 9]

661—9.1(17A) Definitions. As used in the rules contained herein the following definitions apply, unless the context otherwise requires:

“*Commissioner*” shall mean the commissioner of the department or authorized representative.

“*Complaint*” shall mean an allegation by a fellow officer or third party of a breach of rules or orders by an officer, or a violation of the law.

“*Department*” shall mean the Iowa department of public safety.

“*Employee*” shall mean a merit employee of the department.

“*Officer*” shall mean a peace officer employee of the department.

661—9.2(17A) Filing the complaint.

9.2(1) Any person who wishes to file a complaint against an officer or against the department may do so:

a. In a letter to any officer of the department of public safety, or to the internal affairs bureau. The mailing address to the internal affairs bureau is: Internal Affairs Bureau, Department of Public Safety, Wallace State Office Building, Des Moines, Iowa 50319.

b. In a telephone call to any officer or the internal affairs bureau.

c. By filling out an “allegation of employee misconduct form” which may be obtained at the department’s principal office in the Wallace State Office Building in the Capitol Complex, or at any of the highway patrol district headquarters.

9.2(2) The complainant should try to describe the nature of the complaint and the details of any incident as specifically and completely as possible.

9.2(3) The complainant need not be identified. Anonymous complaints will be accepted and investigated as thoroughly as any other complaints.

9.2(4) The internal affairs bureau shall provide any identified citizen complainant with a receipt of the complaint in writing.

661—9.3(17A) Investigation and review. The complaint will be investigated and reviewed by any of the following:

1. The officer’s immediate supervisor.
2. An intermediate supervisor.
3. The internal affairs bureau.
4. The conduct review board.
5. The commissioner.

According to the procedures outlined in Chapter 1.5 entitled “Disciplinary Procedures” of the department’s “Peace Officer Personnel Rules.”

661—9.4(17A) Notification. The commissioner or the commissioner’s designee will notify, in writing, any citizen complainant of the specific final action on any case involving a citizen’s complaint. Any supervisor involved in the termination of a citizen’s complaint prior to the case reaching the commissioner or the commissioner’s designee will ensure that the commissioner is notified immediately of all such cases so that the commissioner may notify the citizen complainant of the specific final action on the case.

661—9.5(17A) Complaints. Any person who wishes to file a complaint against an employee of the department may do so by writing or phoning the employee's immediate supervisor or the commissioner's office.

These rules are intended to implement Iowa Code chapter 80.

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